

**DT: February 9, 2018**

- Biomass providers and users are seeking parity with renewable energy sources such as wind and solar with respect to how EPA reflects their greenhouse gas impacts in its policies, programs, and regulations.
- Several states, including all six New England states, allow for biomass-fired power plants to receive credit for their energy generation pursuant to their Renewable Portfolio Standards regulations.
  - Internationally, U.S.-produced wood pellets provide almost two-thirds of renewable energy to the European Union as of 2015.
- In 2011, in the context of the Tailoring Rule, EPA exempted carbon dioxide emissions from biomass (referred to as biogenic CO<sub>2</sub>) in the context of permitting applications, but the D.C. Circuit Court vacated that effort in 2013.
- At the federal level, regulatory oversight of biomass is shared across EPA, USDA and DOE. The ability to distinguish biogenic CO<sub>2</sub> hinges on the understanding of and regulatory recognition of biomass as “carbon neutral.”
- EPA’s Scientific Advisory Board has been assessing the carbon cycle of biogenic CO<sub>2</sub> since 2011 and has yet to find consensus. While SAB’s work continues, the Office of Air has been developing a range of options to provide regulatory relief to biomass stakeholders, including the National Alliance of Forest Owners (NAFO) and the America Forest & Paper Association (AF&PA).

**EPA Actions:**

- In response to congressional language included in the 2017 Appropriations Act directing EPA, DOE, and USDA to support the use of biomass, EPA has led a tri-agency response laying out the plan for coordination. (b) (5)

- Additional EPA actions to support biomass include:

(b)  
(5)

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***Talking Points***

- Previous EPA actions created a cloud of regulatory uncertainty with regard to the carbon-neutrality of biomass and biogenic CO<sub>2</sub> emissions.
  - While EPA under the previous administration pledged to resolve this regulatory uncertainty, it has failed to do so despite nearly a decade of work on the issue.
- EPA is continuing work with USDA/DOE and interested stakeholders
- This issue presents an opportunity for EPA and the Administration to support good-paying jobs in rural communities, protect and improve our nation's air quality, and resolve regulatory burdens that unnecessarily encumber energy production and constrain economic growth.
- All options are currently on the table and we remain committed to supporting an industry with huge potential to help meet our country's energy needs and expand economic opportunity in rural America.